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Attorneys for Defendant U.S. Bank Trust National Association,  
in its capacity as Indenture Trustee

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

FINISAR CORPORATION, a Delaware  
corporation,

Plaintiff,

v.

U.S. BANK TRUST NATIONAL  
ASSOCIATION, a national banking association,  
not in its individual capacity, but solely in its  
capacity as Indenture Trustee on behalf of all  
Holders of Finisar Corporation's 5¼%  
Convertible Subordinated Notes due 2008, 2½%  
Convertible Senior Subordinated Notes due 2010,  
and 2½% Convertible Subordinated Notes due  
2010, and DOES 1 through 10, inclusive,

Defendants.

Case No. C 07-04052 JF (PVT)

**DEFENDANT'S REQUEST TO  
APPEAR AT CASE  
MANAGEMENT CONFERENCE  
BY TELEPHONE**

Date: February 15, 2008  
Time: 10:30 a.m.  
Location: Courtroom 3

1 Pursuant to Northern District of California Local Rule 16-10(a), Michael B. Fisco, counsel  
2 for Defendant U.S. Bank Trust National Association, respectfully requests permission to appear  
3 and participate telephonically at the Case Management Conference in the above-captioned matter,  
4 which was continued from November 30, 2007 and December 14, 2007, and is currently set for  
5 February 15, 2008 at 10:30 a.m. Defendant's counsel Eva K. Schueller will appear in person.

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7 Dated: February 8, 2008

D. ANTHONY RODRIGUEZ  
EVA K. SCHUELLER  
MORRISON & FOERSTER LLP

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11 D. Anthony Rodriguez  
12 Attorneys for Defendant  
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